FACULTY COUNCIL
Tuesday, January 22, 2008
3:30-5:15 pm
Penn State Room, 337 IMU

MINUTES

Councilors Present: L. Boyle, G. Bulechek, C. Catney, M. Cohen, D. D'Alessandro, D. Drake, B. Justman, T. Mangum, L. Richman, J. Sa-Aadu, L. Snetselaar, K. Tachau, R. Williams, and J. Woodhead.

Officers Present: S. Kurtz**,** S. McGuire, M. O'Hara, and V. Sharp

Councilors Excused: Y. Li

Councilors Absent: G. Russell and B.Thompson.

Guests: P. Kelley (*Emeritus Faculty Council*), A. Shurson (*The Daily Iowan*), J. L Spratt (*Emeritus*), and L. Zaper (*Faculty Senate*)

I. Call to Order – President Sharp called the meeting to order at 3:30 pm.

II. Approvals

A. Meeting Agenda – Professor Cohen moved and Professor Drake seconded that the agenda be approved. The motion was unanimously approved.

B. Faculty Council Minutes (November 13, 2007) – Professor Cohen moved and Professor Drake seconded that the minutes be approved. The motion was unanimously approved.

C. Senate Replacements – (Michael O'Hara)
   - Howard Cowen (Dentistry) will replace James McPherson (Writers' Workshop) on the Human Rights Charter Committee, 2007-2010. Past President Kurtz moved and Professor D'Alessandro seconded that the replacement be approved. The motion was unanimously approved.
   - Anne Sullivan (Family Medicine) will replace Johna Leddy (Chemistry) on the Parking and Transportation Charter Committee, spring 2008. Professor Justman moved and Past President Kurtz seconded that the replacement be approved. The motion was unanimously approved.

President Sharp noted that the draft Senate agenda for February 5 had been inadvertently omitted from today's agenda. However, any new business approved today for forwarding to the Senate would move to the Senate agenda. Professor Cohen moved and Professor D'Alessandro seconded that any new business approved today for forwarding to the Senate would move to the February 5 Senate agenda. The motion was unanimously approved.

      D.   Faculty Senate Elections Vacancy Tally (Michael O'Hara) – Vice President O'Hara noted that the annual Faculty Senate and Council elections were approaching. For next year, there will be 33 open positions on the Senate and 7 open positions on the Council.

III.   Update on Provost Search (Michael O'Hara)

Vice President O'Hara reported that the search committee is making good progress. The committee has identified some excellent candidates and is about to arrange off-campus interviews. On-campus interviews are being planned for the last week of February (25-29) and the week before spring break (March 10-14). At this time, the committee anticipates inviting five candidates to campus. In order to accomplish this, during the week of February 25-29, three candidates will come to campus, with two candidates on campus simultaneously on February 28. Professor Mangum asked if dates and times for the candidates' public presentations had been set yet. Vice President O'Hara responded that the committee is still working on the specifics, but all presentations will take place in the afternoons. Each candidate will give two talks, one will be more of a question and answer session, and the other will be a scholarly presentation. President Sharp questioned if the Faculty Council would have the opportunity to speak with the candidates. Vice President O'Hara stated that there would be an opportunity for faculty leadership. Past President Kurtz stressed that this be time for faculty only.

President Sharp noted that the process to elect Senators for the 2008-09 academic year would get underway in the next few weeks. She urged the Council members to encourage their colleagues to vote and, if nominated, to serve. A new electronic voting system will be used this year, Votenet. It is the same system which UISG used successfully last year. The elections committee had a preview of the new voting system, and was favorably impressed.

President Sharp and Past President Kurtz welcomed back Katherine Tachau on behalf of the Council. Professor Tachau had been on leave last semester, and her place on the Council had been taken by Professor Jeff Cox.

IV.   New Business
- *Research Track Proposal (Secretary Steve McGuire)*

Secretary Steve McGuire drew the group's attention to the policy document and the accompanying executive summary. He explained that he would describe the origins of the proposal and then discuss the document itself. Several years ago, there was a proposal from the Carver College of Medicine (CCOM) for a research-faculty track. This proposal precipitated discussions with the CCOM and among the other health science colleges. This past summer for the Faculty Council retreat, a written proposal was received from the CCOM; following extensive discussion, it became clear to the CCOM that a lot still needed to be clarified. In early November, the Research Council (a charter committee comprised of faculty, staff, and students) took up the ideas in the policy, added their own suggestions and presented a proposal. Meanwhile, the Faculty Senate officers, in conversations with the Council members and other Senators, identified some core issues and concerns faculty had regarding the policy. On November 26, the officers met with the health science deans, and on December 12, they met with the full Council of Deans. The latter followed a meeting of the Faculty Policy and Compensation Committee, which voted unanimously to support the proposal. Therefore, there has been a lot of discussion surrounding this proposal, but not yet with the Faculty Council and Faculty Senate. That input is now sought.

Secretary McGuire referred the group to the *Executive Summary*. He noted that faculty had some absolute principles which could not be changed, and those principles are listed in the *Executive Summary*. Professor Snetselaar asked if it would be permissible for a college to decide not to use this track. Secretary McGuire responded that yes, it would be. He suggested that the Council look at the proposal as the document to be voted on, even though some items would still need to be clarified should the policy be approved. The principles listed in the *Executive Summary*, however, remain firm; any changes made to the policy would need to be consistent with these principles. Secretary McGuire noted that he holds a joint appointment in the College of Education and the College of Liberal Arts and Sciences. The Faculty Senate officers represent a range of colleges, but the officers came to an agreement on the proposed policy over the course of several weeks. One of the recognized principles is that we have a vested interest in protecting tenure across the university. One of the officers' biggest concerns was whether the research track would undermine tenure. Another important issue is the recognition that colleges have different needs in terms of being able to accomplish their missions. The CCOM has made a strong case regarding their needs, and that is reflected in the proposal. Secretary McGuire then opened discussion of the policy based on the principles given in the *Executive Summary*. If the Council comes to an agreement on the policy, points of clarification can then be made.

Professor Boyle stated that she was uncomfortable with taking a vote at this time. There are strong poles of opinion on both sides of the issue in her college, Engineering. She felt that she needed more time to discuss the issue with her colleagues and to present it to her dean.

Professor Cohen moved and Past President Kurtz seconded that the proposed Research Track Policy be approved and moved forward to the Faculty Senate for consideration.

Professor Cohen went on to state that a large and comprehensive group of faculty from across campus had looked at this issue some years back, but had then tabled it. The CCOM is strongly supportive of the research track. There had been a vote of tenure-track CCOM faculty on this issue, with 50-60% approval. He felt that Dean Butler had recently made a compelling argument for moving this forward; that argument is that, although there are divided opinions among faculty, this should not impinge upon collegiate autonomy. It comes down to an issue of self-rule for colleges.

President Sharp noted that, if approved, this would be a university policy; however, each college would then be free to decide whether or not to use it, and then those colleges who do decide to implement it would need to develop policies based on the university policy. No college would be forced into instituting a research track. The issue here is to determine what is good for the university overall.

Secretary McGuire noted that he was originally opposed to this because he was concerned about the potential to undermine tenure. He explained that he proposed policy contains firewalls to protect tenure, the biggest of which is the source of funding. If funds available to hire tenure-track faculty were diverted to hire research-track faculty, the tenure system would be threatened. However, the policy clearly states the sources from which funds to hire research-track faculty would come.

Past President Kurtz and President Sharp noted that another firewall is a limitation on the number of research-track faculty, which is tied to the number of tenure-track faculty. The number of research-track faculty cannot be increased without increasing the number of tenure-track faculty.

Professor Bulechek questioned what the current percentage of clinical-track faculty per college is. Professor Cohen stated that it is limited to 35%. Earlier, however, it was a smaller percentage, and Professor Boyle asked what would prevent the research track from growing in a similar manner. Past President Kurtz responded that colleges would not be able to raise their percentage without the approval of the Faculty Senate.

Professor Tachau noted that future senators would be subject to the same pressures that current senators face now. She commented that when the policy was first circulated, it was accompanied by a table showing other universities that have instituted the research track. It was listed in order of NIH funding, and Johns Hopkins did not have such a track. She added that the tenure system was created by Arthur Lovejoy at Johns Hopkins and John Dewey at Columbia. At that time and up to the present, it has always been in the interest of administrators to have as short-term a commitment to faculty as possible. The tenure system represents a trade-off, allowing universities to do what they do best, including important research in the basic sciences. If Johns Hopkins is still holding on to preventing this little nibble at tenure, we are in good company if we also do it. She referred to a document circulated by John Menninger, a Biological Sciences faculty member, raising various questions about the research track.

President Sharp noted that Johns Hopkins has a much greater amount of money than we have. We have gone down in our number of tenure-track faculty, and there are only limited funds available to increase this number. We also need to move forward the missions of certain colleges. The higher ranked we are, the more money we will receive from NIH, etc. With the research track, we can bring in more funding money, which will help the whole university.

Professor Richman stated that he was originally opposed to the research track. The Faculty Policy and Compensation Committee, which he chairs, was split, but then voted for it. He added that nineteen out of the top twenty medical colleges have instituted the research track. Johns Hopkins doesn't need the research track; they are at an advantage in post-doctoral fellowship competition because of their proximity to NIH. Also, the deans have indicated that they would not abolish any tenure-track positions in favor of research-track positions out of fear that they would not regain the lost tenure-track positions. And, President Mason successfully instituted the research track at Purdue University. Professor Richman has lost two people to research-track lines at other universities.

Professor Tachau noted that the University of Wisconsin did not implement the research track. She commented that recent Nobel Prize winner Mario Capecchi mentioned that he is currently at the University of Utah and no longer at Harvard University because at Harvard there is a push to get results quickly. Utah, on the other hand, was willing to give him the time to do his research. This might give us pause to think about our own strategies.

Secretary McGuire referred the group to the *Executive Summary*, and suggested that the group go through the principles listed there. He began with these:

- This policy outlines policies and procedures for any college that successfully adopts the hiring of research-track faculty.

- Research-track faculty shall be funded exclusively by grants, contracts, clinical income, and private donations, and not with general education funds.

Regarding indirect costs, that is general education money. We've tried to circumscribe the funds available to hire research-track faculty. Professor Tachau asked, if new buildings are opened, will the utilities be paid by funds other than indirect cost allowances or by funds other than those from the university? Professor Cohen responded that indirect costs from NIH are roughly 50%, which goes into the general education fund. Secretary McGuire continued that the indirects that go into the general education fund can't be used to hire research-track faculty. Professor Tachau asked, so that means that you can still run that building with this money, so there is less money in the general fund to run other buildings? Others responded that no – there would be more money in the general fund. Professor Cohen noted that currently the CCOM's chances of expanding its faculty are slim, but with the research track it has the potential to add 50 faculty over so many years. If all these faculty are successful, they would bring in

additional external funding, the indirects of which would go to the university. Some of these funds would necessarily be used to support infrastructure costs.
Professor Mangum noted that it sounds as if the research-track faculty would be quarantined in a separate building, when they would in fact be integrated into the college's overall research mission.

Vice President O'Hara stated that one of the major goals here is to expand the research enterprise of the university; to do this you need labs, equipment, buildings, etc. We need to keep in mind that this is a major goal of this project, and that the research track faculty will play a crucial role. Their salaries and fringe benefits will be recovered through the grants they bring in. There will be expenses associated with the labs, but in general this is a benefit to the university because we will then have a larger research enterprise.
Professor Snetselaar noted that one typically writes such costs into grants anyway.
Professor Richman added that in the CCOM, faculty are charged per square foot for their space out of their grants.

Secretary McGuire continued:
- Research-track faculty will be initially appointed for one to three years. Re-appointment reviews will evaluate the faculty member's ability to obtain and sustain extramural salary support. Appointments cannot last longer than the faculty member's external support.

This builds on the idea that research-track faculty will come in bringing their salary with them. Professor Boyle questioned how such faculty would support themselves in their first year at the university as assistant professors. President Sharp responded that some would come in with their own funding, others would come in on other people's grants. Professor Boyle commented that she didn't envision any assistant professors bringing in their own money, and expressed concern that the colleges would be supporting them for a certain number of years. Professor Cohen noted that there are grants now available from NIH for assistant professors; also, the nature of research is changing, there is much more multi-disciplinary work in large groups. People will have large center grants and have the resources to recruit new faculty to join a large group of investigators. Secretary McGuire concurred that this is a concern for any college. For instance, within Engineering, faculty can vote not to institute this track in their college; it comes down to shared governance. Professor Sa-Aadu commented, if someone were coming in with a grant lasting 3 or 4 years, this would determine their length of employment. Past President Kurtz added that a research-track faculty member can't come in without funding, they must bring their funding with them. If it is a matter of a new person coming from outside the university, they must bring their own funding or be added to someone else's grant. For people already at the university, such as research scientists, they could become research-track faculty if they already have funding. No bridge funding is allowed by this policy. Professor Boyle expressed concern that existing research scientists could just roll into this position, but President Sharp noted that few research scientists could do this. It was stressed again that research-track faculty cannot be hired without their own funding.

Professor Tachau questioned why the same results could not be achieved by having a research institute? It would be independent of the university, but have access to university resources. Vice President O'Hara noted that this was a good point, but that the research-track faculty will be fully integrated with other faculty, not in a separate group by themselves.

Secretary McGuire read the remaining principles:

- Research-track faculty hold faculty rank at assistant professor, associate professor, or professor; however, they are not eligible for tenure.

- Research-track faculty contribute to the research mission of the University and devote their time exclusively to performing externally supported research.

- Following this:

  ✓ Research-track faculty cannot be elected to the Faculty Senate but will participate in departmental and college governance.

  ✓ Research-track faculty can provide auxiliary lectures on areas of knowledge relevant to their research or as may be required by the terms of grant or contract, and may serve on doctoral committees. Research-track faculty will not teach courses, though.

  ✓ Consistent with current university practice, research-track faculty will not participate in faculty hiring in other tracks - tenured/tenure-track or clinical-track faculty.

President Sharp clarified that the intention here was that research-track faculty would not be allowed to vote on hiring.

Professor Catney asked for a definition of "auxiliary lectures." Secretary McGuire suggested to think in terms of the "instructor of record." A research-track faculty member could give a lecture on the topic of their specialty, but not run an entire course. It was agreed that the final wording would need to be clarified.

Professor Tachau noted that there were good pragmatic reasons for not allowing research-track faculty to be elected to Faculty Senate, but questioned why they could then be allowed to participate in collegiate governance. Either they deserve to be represented or they do not deserve it. Past President Kurtz responded that it is up to the college, whatever the college thinks is important. Professor Tachau asked what if we think of participating as being represented, how do we justify this? Professor Cohen noted that some faculty were strongly against having research-track faculty serve on Faculty Senate; this could be seen as an accommodation to that point of view. Secretary McGuire stressed the over-arching idea of the policy, that at this particular moment individual colleges have particular needs in order to pursue their missions, but that this cannot be at the cost

of other colleges. It is a system of balances. If the majority of colleges do not vote to propose this, then they might not like it if other colleges' research-track faculty were determining the fate of other faculty ranks in the Faculty Senate. This policy represents a balance of competing interests.

Professor Mangum observed that those who have already participated in discussions about this have leaped ahead in their thinking, and requested that the conversation slow down a bit. For some, the key difference seems to be that the needs of particular colleges are so great, that it is necessary to balance the needs of one college against needs of others, while others are still wondering if this is good for the university as a whole versus the needs of individual colleges. She noted that the number of clinical-track, research-track and lecturers seems to be growing while the number of tenure-track faculty gets smaller. How would this take the place of potential future faculty? How do you think of this so that it's not threatening to tenure? Secretary McGuire explained that the bottom line is that hiring research-track faculty should not jeopardize the hiring of tenure-track faculty in another college. Professor Mangum noted that the CCOM would be adding 50 people it did not previously have. Would the CCOM then decide that future needs could be met with this new possibility? Professor Tachau asked why the CCOM doesn't want these new hires to be tenure-track? Various senators responded that the CCOM does want to hire more tenure-track faculty, but does not have the money to pay for that. Professor Cohen explained that only 6-8% of the CCOM budget can be traced back to state funding; therefore, over 90% of the budget is self-generated. In order to expand, funding has to come from other sources. Past President Kurtz mentioned that if the CCOM can hire 50 research-track faculty with outside funds, then when funds become available for tenure-track positions, the CCOM won't be at the table requesting those lines, which in turn would benefit the other colleges. The College of Liberal Arts and Sciences has lost a lot of faculty recently, and the priority is to restore those tenure-track lines. The CCOM won't compete for those lines, as they have accomplished their mission this other way. This would be a net win for everyone in the university. There are firewalls in the policy to prevent creep that would affect tenure. For example, there is a limitation on the numbers that could be hired, and research-track faculty could not participate in Faculty Senate, making decisions where tenure becomes relevant. He added that the CCOM is nearly 50% of the university. Their troubles and their successes are the university's troubles and successes.

Professor Boyle commented that she agreed that research-track faculty should not participate in Faculty Senate and Council, as those bodies have as their primary mission the advancement of teaching and scientific inquiry. She questioned, however, how they would participate in collegiate governance, as in her college teaching matters are discussed extensively within the collegiate governing bodies. Past President Kurtz responded that it would be up to her college to decide whether research-track faculty would participate in collegiate governance. She also commented that, considering the large number of faculty in the CCOM, she was concerned about the weight of her vote. Although she recognized that the CCOM values tenure, she wondered whether the research track would grow in a way similar to the clinical track. Professor Bulechek clarified that clinical-track faculty could serve on Faculty Senate, and thought that

perhaps research-track faculty should not be treated differently in this regard. Secretary McGuire reiterated that the proposed policy seeks to merge competing interests. Past President Kurtz reminded the group that the core attribute of faculty members is that they are teachers, and that much of what Faculty Senate does relates to the teaching mission. Research-track faculty, however, will not be teachers. They can only give auxiliary lectures in their field of expertise. They are not hired or evaluated on the basis of teaching. They are valued on their research and how much money they bring in. If they do not bring in money, they will not be here. Research-track faculty should not be involved in the discussion of matters of tenure.

President Sharp noted that this policy would be reviewed in five years, allowing for changes if deemed necessary. Secretary McGuire suggested that between now and the Feb 5 Faculty Senate meeting, perhaps a broader forum for discussion might be needed. Professor Sa-Aadu noted that we are in the knowledge production business, which includes teaching, research, and service. He questioned what would be gained by placing excessive restrictions on the research track. Research-track faculty would play an important role in knowledge production.

Vice President O'Hara stated that he had been opposed to the research track in the beginning. He had read Professor Menninger's thoughtful argument against the research track, and been influenced by it. But, we are in a competitive environment, we compete against the CIC institutions, as well as nationally and internationally, and we have not seen this level of competition before. We may need to change ourselves fundamentally to deal with it. He has also been convinced by the deans, who have stated that they cannot afford to hire tenure-track faculty. Limitations have been put on the research track, regarding numbers, funding source, etc. The need for it and the constraints placed on it balance off. There are some risks. No one would argue there is no potential downside. A number of peer institutions have done this, and he has not heard of any problems with it. He is confident that going forward we will evaluate the policy, and a future Faculty Senate will determine if it is successful. Past President Kurtz emphasized that the policy must be reviewed in five years.

Professor Boyle asked if the title of professor is needed to get funding at NIH, but no one is sure; it may simply depend on the study section. Professor Tachau felt that the Council was not ready to take a vote. She added that there are aspects of the funding issues at the CCOM that she did not fully understand, for example, why would someone want to spend only a year working in a lab? Why can't we hire people to do clinical service and teaching, and then if they receive grant money they can change their portfolio? Another issue is that of a research institute, as she had previously mentioned. One might think of this research institute as a small university with no students. It is like a campus with people doing research together with distant groups of other scientists. Working in large teams is not new, it has been going on for a long time in physics, for example. Why does the situation require only this solution? Professor Sa-Aadu stated that he was now supportive of the policy, and cautioned against placing too many constraints on the policy and therefore dooming it to failure. Professor Drake responded to Professor Tachau's question regarding who would want to work in a lab for only one year. He explained that

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he has many colleagues around the country who have noted a different culture among some younger faculty – these individuals want to devote themselves entirely to research, but also want the title of faculty when applying for funding from NIH.

Secretary McGuire read through the final two principles:
- Proportionally, research-track faculty could comprise in any college the greater of eight faculty members or ten percent (10%) of the tenured/tenure-track faculty (computed in FTEs).

- This policy will be reviewed no later than five years following its implementation. The Faculty Senate will then vote on whether to renew the policy.

President Sharp stated that it was time to take a vote. Professor Tachau questioned if the Council was voting on the executive summary, or the entire policy. It was clarified that the Council would vote on the entire document. She then asked whether Item c. (3), regarding funding, was intended to mean that people working in labs under the research-track faculty are paid in the same way? It was clarified that the research-track faculty must have slots in their grants for these people.

The motion was repeated and voted on in a hand vote.

Professor Cohen moved and Past President Kurtz seconded that the proposed Research Track Policy be approved and moved forward to the Faculty Senate for consideration. There were 12 votes in favor, 2 votes opposed, and 1 abstention.

Professor Tachau noted that she was opposed to the idea that the Council was ready to vote, and not necessarily opposed to the research track. Professor Boyle commented that she was opposing the same thing. President Sharp asked what could be done in the next two weeks to further inform senators about this issue. Professor Tachau suggested that the financial situation of the CCOM be explained to senators, especially those not in the health sciences, and it should also be explained why the CCOM cannot hire more tenure-track faculty at this time. Past President Kurtz noted that the CCOM is funded on clinical income, research grants, and private funding, with only about 8% coming from the state. The Vice President for Medical Affairs could be invited to explain this to the Senate, but that is probably beyond the scope of this discussion. Interim Provost Lopes commented that, when tenure is granted, it is the university who grants tenure; in good and bad times the university guarantees that it will pay its tenured faculty. For CLAS, the funding behind that guarantee comes from tuition and state funding, but for the CCOM this is not the case. Professor Boyle suggested that this point be brought up at the Senate meeting, as it helps to clarify the situation.

President Sharp asked for suggestions of ways to educate senators prior to the Senate meeting. Professor Mangum encouraged the officers to stress that this is not a done deal; it must be communicated that this is a genuine decision that the senators must make. Professor Bulechek suggested that the officers could plan for an informational session, and then take a vote later. Secretary McGuire commented that this could be just an

informational session, but it should be stated that way from the outset. Professor Tachau stressed that senators should not feel rushed into a decision. Professor Mangum suggested that it would be helpful if senators knew prior to the meeting that they might vote on this issue. President Sharp responded that the officers would get the word out.

- *Proposed changes to the* Operations Manual *for DEO and Program Director Reviews (Michael O'Hara)*

Vice President O'Hara explained that in 2004, the methods for evaluating deans were completely changed. Part of this process involved extracting the review of DEO's and program directors from the policy. A brief policy was created for this group, but that has turned out not to be adequate. Last fall the Faculty Policy and Compensation Committee developed a more elaborate policy for multi-year reviews of DEO's and program directors. This new policy tries to balance two things. It tries to achieve faculty participation in reviews, but it also reduces the burdensome nature of these reviews. There are no dramatic changes contained in the new policy, but the previous policy was very sparse. Professor Mangum noted that the new policy calls for reviews to occur every five years, but in her experience it is difficult to get people to serve as DEO for even three years. Vice President O'Hara responded that this will be largely driven by the colleges; the policy merely states that you cannot go longer than five years until a review. If the person is to be re-appointed, then a review must be done. Professor Tachau questioned the section on goal attainment; three years seems to be a short time for the attainment of goals. Vice President O'Hara responded that he was inclined to keep this language in the policy. His parenthetical note in bold print, however, will be stricken.

Professor Drake moved and Professor Tachau seconded that the policy for the *Multi-year Reviews of DEO's and Program Directors* be approved and sent on to Faculty Senate. The motion was unanimously approved.

- *Electronic Storage of Background Check Information (Associate Provost Susan Johnson)*

Associate Provost Susan Johnson explained that the current Criminal Background Check policy requires that those documents must be kept on paper. At the previous Council meeting, Associate Provost Johnson had been requested to bring a written version of this revision to the policy to the Council for voting. She has now done so.

Past President Kurtz moved and Professor Boyle seconded that this revision to the *Criminal Background Check* policy be approved. The motion was unanimously approved.

- *Directory Publication Review (Mary Greer, Past President, Staff Council)*

Staff Council Past President Mary Greer explained that this is the second time that faculty are being approached to approve this. It had been passed by Faculty Senate and Staff Council last year, but was not put into effect by Interim President Fethke. President Mason will now be approached with this proposed policy. Staff Council already approved

it in November. Instead of the default being that faculty and staff home addresses and phone numbers will be published, the default will be that this information will not be published unless the faculty/staff member elects to do this.

Professor Tachau moved and Past President Kurtz seconded that the revised Directory Publication policy be approved. The motion was unanimously approved.

- *Draft of Consensual Relationships Policy (Craig Porter, Office of the Ombudsperson)* Professor Porter explained that the Dispute Resolution Committee had requested that the extant policy on consensual relationships involving students be reviewed. It had come to the attention of the committee that there were some situations involving graduate students, specifically post-docs, in which such relationships had developed and there did not seem to be an applicable policy. The committee doesn't think that healthy relationships are bad. The policy had originally been drafted in the 1980's and was part of the Sexual Harassment policy, but was ultimately split from that policy. The issue here is that the committee believes that "an instructor cannot objectively evaluate the academic performance of any student with whom the instructor has an existing romantic or sexual relationship." The basis for this statement is the power imbalance that exists in such relationships. Healthy partnerships should be encouraged, however. The committee streamlined the policy and eliminated the language regarding discouraged relationships, as it is difficult to define and manage non-prohibited behavior. The major change to the policy is that the term "faculty" has been eliminated and replaced with "instructors," as there are other individuals on campus who have instructional responsibilities for students. The term "student" has been widened to include post-doctoral fellows, summer camp students, etc. The definition of "instructors" has been broadened to include academic advisors, coaches, professional staff, etc., when they have responsibility in an instructional context. The onus is on the faculty member to report. Third parties can also report. A handful of these cases come in to the Office of Equal Opportunity and Diversity (EOD) every year; all have been initiated by students or third parties. EOD has been involved, but formal EOD investigations are not necessary. The policy contemplates the development of a management plan when one of these relationships becomes known. The plan would be managed similarly to the nepotism policy management plan and would be reviewed periodically. The management plan is intended to modify the instructional relationship, this is the core of the policy. The committee likes healthy relationships but doesn't like power imbalance.

Professor Richman moved and Professor Boyle seconded that the revision of the Consensual Relationships Policy be approved. The motion was unanimously approved.

V.   Announcements
- The next Faculty Council meeting will be Tuesday, February 19, 2008, 3:30 – 5:15 pm, Penn State Room, 337 IMU
- The next Faculty Senate meeting will be Tuesday, February 5, 2008, 3:30 – 5:15 pm, Senate Chamber, Old Capitol

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- The Faculty Senate Symposium will be Monday, March 24, 2008. The symposium topic will be announced at a later date.

VI.   Adjournment – President Sharp adjourned the meeting at 5:15 pm.